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8 Attorneys for Plaintiff

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 UNITED STATES OF AMERICA,)	No. CR 06-0630 MHP
)	
13 Plaintiff,)	PROPOSED ORDER EXCLUDING
)	TIME FROM SEPTEMBER 25, 2006
14 v.)	THROUGH OCTOBER 16, 2006 FROM
)	CALCULATIONS UNDER THE SPEEDY
15 ULYSSES DAVID POWELL,)	TRIAL ACT (18 U.S.C. § 3161) AND
)	UNDER F.R.C.P. 5.1
16 Defendant.)	
)	

17
18 The parties appeared before this Court for the initial time on the pending indictment on
19 September 25, 2006. The defendant appeared personally and was represented by Geoffrey
20 Hansen, Assistant Federal Public Defender. Gregg Lowder, Assistant United States Attorney,
21 appeared for the United States.

22 The Court continued the matter to October 16, 2006 for change of plea, or to set motions
23 or trial.

24 The Court ordered the time from September 25, 2006 through October 16, 2006 excluded
25 from time calculations under the Speedy Trial Act, at the request of the defendant and his
26 attorney, in order to permit the defense attorney reasonable time to effectively prepare a defense,
27 in light of new discovery recently provide to the defense by the government.

28 The Court enters this order continuing the hearing and supplementing its oral order at the

Order re Speedy Trial Exclusion of Time
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hearing of September 25, 2006 excluding time from calculations under the Speedy Trial Act, 18 U.S.C. § 3161. The parties, including the defendant, agree and the Court finds and holds as follows:

1. The defendant understands, requests and agrees to the exclusion of time from calculations under the Speedy Trial Act, 18 U.S.C. § 3161 from September 25, 2006 through October 16, 2006 based upon the need of the defense to analyze the discovery provided to the defense before the September 25 hearing.

2. The defense counsel agrees that the exclusion of time is necessary to allow him reasonable time to effectively prepare a defense, in light of the new discovery provided by the government, and he agrees the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, should be from September 25, 2006 through October 16, 2006.

Given these circumstances, the Court finds that the ends of justice served by excluding from time calculations the period from September 25, 2006 through October 16, 2006 outweigh the best interests of the public and the defendant in a speedy trial under the Speedy Trial Act, 18 U.S.C. § 3161. Accordingly, and at the request of the defendant, the Court (1) sets an appearance date before this Court in this case on October 16, 2006 @ 10:00 a.m., and (2) orders and finds that the time from September 25, 2006 through October 16, 2006 is excluded from time calculations under the Speedy Trial Act, 18 U.S.C. § 3161.

SO STIPULATED:

DATED: 10/6/06

/S/
GEOFFREY HANSEN
Assistant Federal Public Defender

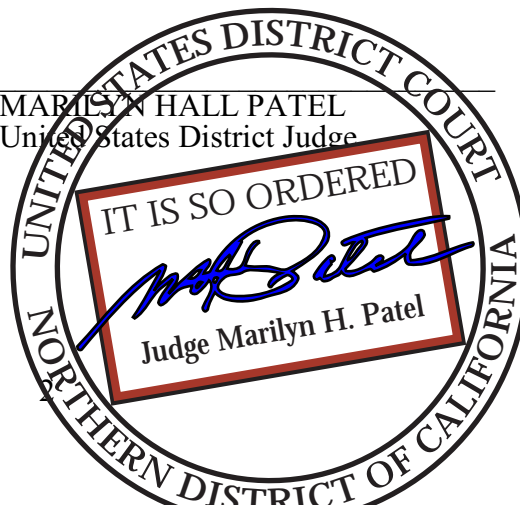
DATED: 10/5/06

/S/
GREGG W. LOWDER
Assistant United States Attorney

IT IS SO ORDERED.

DATED: 10/10/2007

MARILYN HALL PATEL
United States District Judge



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